

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 13, 1932.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; absent, Councilman Steck, 1.

The Minutes of the last regular meeting were read and Councilman Alford moved the adoption of same as read. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

A motion was made by Councilman Mueller that the proposal of T. H. McGregor, M. H. Reed, and C. P. Sullivan, representing Edgemont Addition, that the City of Austin reimburse them for a bridge which had been built at the expense of the owners of Edgemont Addition across Shoal Creek at 29th Street, be rejected; and that the City Attorney be instructed to advise the representatives of Edgemont Addition that the bridge was in bad repair and should be immediately conditioned, but that the City of Austin would be willing to make the necessary repairs and take care of the future maintenance of the bridge upon the proper written authorization from the owners of same. The motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following communication:

"Austin, Texas, October 7, 1932.

Honorable P. W. McFadden, Mayor  
City of Austin,  
City Hall,  
City.

Dear Doctor McFadden:

With further reference to our request for a permit to construct a Community Center on the property at 14th Street and Congress Avenue, this City, beg to say that in connection with the contemplated building we expect to place above these stores three or more apartments. However, we can not do this until we are able to finance them. It is our purpose to build the stores first and have them so arranged that the apartments may be added at a later date as soon as the money is available.

Yours very truly,

(Sgd) Paul O. Simms Company,

By Earl E. Simms. "

Mayor McFadden moved that it is the sense of the Council that the request for a change in the Zoning Ordinance so as to change the USE designation of the property located at the southeast corner of East 14th Street and Congress Avenue, the same being the West Fifty (50) feet of Lots 1, 2, and 3, Block 160, Original City, from RESIDENCE "B" to COMMERCIAL "C", be denied. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, October 11, 1932.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

Brown & Root, Inc., Contractors for the construction of a gravel base and bituminous treatment on East Avenue from Manor Road north to City limits, have completed their work

in accordance with the specifications, and I recommend acceptance of same and payment of their final estimate in the total sum of \$5237.40. Their final estimate, which is estimate #1, duly signed by myself and H. R. F. Holland, Consulting Engineer, accompanies this communication.

Respectfully submitted,

(Sgd) Orin E. Metcalfe, City Engineer. "

Mayor McFadden moved that the above recommendation of the City Engineer be approved and the work done by Brown & Root, Contractors, under their contract for a gravel base and bituminous treatment on East Avenue from the Manor Road north to the city limits be accepted and final estimate, in the amount of \$5237.40, be paid. The motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, October 12, 1932.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

Brown & Root, Inc., Contractors for the construction of curb, road grading and surface treatment of roadways in Fruth Park, have completed their work in accordance with their plans and specifications in a satisfactory manner, and I recommend acceptance of said work and the payment of the final estimate in the sum of \$2,640.62.

Respectfully submitted,

(Sgd) Orin E. Metcalfe, City Engineer."

Mayor McFadden moved that the above recommendation of the City Engineer be approved and the work done by Brown & Root, Contractors, under their contract for construction of curb, road grading and surface treatment of roadways in Furth Park be accepted, and that final estimate, in the amount of \$2,640.62, be paid. The motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, October 12, 1932.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

Brown & Root, Inc., Contractors for the construction of a gravel base and asphalt surface treatment on South Congress Avenue from the bridge to the State Deaf and Dumb School grounds, have completed their work satisfactorily and in accordance with the specifications as set forth in their contract.

After the award of the contract to Brown & Root and after the commencement of the construction work, the R. E. Janes Gravel Company leased property from Lon Martin and commenced operating a gravel pit. In the operation of this gravel pit, water is spilled upon Congress Avenue at the intersection of Miller Street, and heavy loads pass over same. This type of traffic was not anticipated at the time the specifications were prepared and although Brown & Root have worked over this intersection three times, they have been unable to prepare an acceptable surface for this intersection. I do not think that Brown & Root are responsible for the insufficiency of the type of street improvement set forth in the specifications, and they have agreed to have us subtract the area involved in preparing their final estimate. They have also agreed to allow the Street Department the sum of \$30.00 to complete the maintenance on this street.

I recommend the acceptance of their proposal as being to the best interest of the City and have prepared the accompanying estimate to coincide with these suggestions; and

also recommend acceptance of their work and payment of the final estimate, in the total sum of \$324.91.

Respectfully submitted,

(Sgd) Orin E. Metcalfe, City Engineer. "

Mayor McFadden moved that the above recommendation of the City Engineer be approved, and the work done by Brown & Root, Contractors, under their contract for construction of gravel base and asphalt surface treatment on South Congress Avenue from the bridge to the State Deaf & Dumb School grounds be accepted; and that final estimate, in the amount of \$324.91, be paid. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller,<sup>4</sup>; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the City Engineer of the City of Austin has presented a plan for the re-numbering of houses, which plan consists of the selection of block numbers for that area shown on a map named, "House Numbering Revision - Area No. III", which map is marked 2-G-179; and

WHEREAS, the City Council of the City of Austin has favorably considered the block numbering scheme as presented and shown on said map; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the plan of numbering of blocks of that area shown on the accompanying map named, "House Numbering Revision - Area III", and marked 2-G-179, is hereby approved; said area being more particularly described by metes and bounds as follows:

HOUSE NUMBERING REVISION - AREA NO. III.

Beginning at the intersection of the centerline of South Congress Avenue and the middle of the Colorado River;

Thence S. 19° W. with the centerline of South Congress Avenue to the centerline of Live Oak Street;

Thence east with the centerline of Live Oak Street to Blunn Creek and the centerline of Burleson Road;

Thence east with the centerline of Burleson Road to the east line of the City limits near the southeast corner of Travis Heights Addition;

Thence north, east and north with the southeast line of the City of Austin to the center of the Colorado River;

Thence up the Colorado River with its meanders to the place of the beginning.

BE IT FURTHER RESOLVED:

That the City Engineer of the City of Austin is hereby instructed to complete plans for renumbering of this area in accordance with the block numbering system hereby adopted.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, <sup>4</sup>; nays, none; Councilman Steck absent, 1.

Mrs. Allie G. Belcher appeared before the Council and complained of a nuisance created in rainy weather by water from downspouts in the business section of the City, of the insanitary condition of the sidewalks, and of the lack of uniformity in the trimming of trees in the City. The matter was referred to the City Manager.

T. J. Butler appeared before the Council relative to the adjustment of taxes against his property. He was advised to submit his appeal in writing, to be considered by the Council at the proper time.

The Mayor laid before the Council the following:

"Austin, Texas, September 22, 1932.

Honorable City Council  
City of Austin.

Gentlemen:

Attached hereto is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on September 20, 1932, in regard to the changing of the Use designation of property located on Rio Grande and 28th Streets.

Yours respectfully,

(Sgd) H. F. Kuehne,  
Chairman, Board of Adjustment. "

#### RESOLUTION.

WHEREAS, the City Council has referred to the Board of Adjustment for its reconsideration an amendment to the Zoning Ordinance providing for the change of the USE designation of Lots (E) and (F), Outlet 67, Division "D" of the City of Austin, from "A" Residence District to "B" Residence District; and

WHEREAS, the Board held a public hearing at the City Hall on September 20, 1932, at which the applicants for the change and a number of surrounding property owners reappeared before the Board and presented additional arguments for and against the proposed change; and

WHEREAS, the Board of Adjustment held a hearing on the same question on August 17, 1932, and passed a resolution duly submitted to the City Council opposing the change for the various reasons stated in said resolution; and

WHEREAS, the Board deemed that at this second hearing no additional facts, circumstances or conditions were presented to justify the Board in reversing its former decision for the same identical reasons as contained in the former resolution; therefore,

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF AUSTIN:

That the above amendment to the Zoning Ordinance and change in the Use District map be and is hereby disapproved and not recommended to the City Council of the City of Austin, but should the City Council, in its wisdom, deem it advisable to grant this change in the Use designation of this single piece of property, then this change should be extended to include all of the property on Rio Grande Street from 24th Street to 29th Street, which would be more consistent, logical and in accord with the fundamental principles of zoning, eliminating present non-conforming uses and spot zones now existing below 28th Street.

BOARD OF ADJUSTMENT,

By (Sgd) H. F. Kuehne,  
Chairman. "

The Mayor then laid before the Council the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The foregoing ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

No further business coming before the Council, Councilman Mueller moved to recess, subject to call of the Mayor. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

Approved, J. W. McFadden  
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 20, 1932.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; absent, Councilman Steck, 1.

The Minutes of the last regular meeting were read and Councilman Gillis moved the adoption of same as read. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Letters from the Westernfield Development Company and J. T. Bowman, interested property owners, requesting a reclassification in the zoning of Enfield "A", "B", "C", "E", and Westfield so as to permit the erection of apartment houses in said districts in accordance with the deeds to said property, were read.

The Mayor then laid before the Council the following resolution:

WHEREAS, certain owners of property situated in Enfield "A", Enfield "B", Enfield "C", Enfield "E", and Westfield, in the City of Austin, have petitioned the City Council to amend the Zoning Ordinance so as to change the Use designation of said areas from "A" Residence District to "B" Residence District, upon the representation that the deeds to all the property situated in said areas contain the covenant that apartment houses may be built on said property; and